

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ITAI AARONSON,

Case Number CV 06-3097-CL

Plaintiff,

REPORT AND RECOMMENDATION

v.

SHERIFF MIKE WINTERS; and MARK
COGAN,

Defendants.

CLARKE, Magistrate Judge.

Plaintiff was ordered to show cause in writing as to why this action should not be dismissed for want of prosecution by failing to lodge a pretrial order as ordered by the Court, and plaintiff was warned that failing to file a report with the Court by July 5, 2007, would result in dismissal of the case (#40). To date, plaintiff has not filed any response to the Order to Show Cause.

Because plaintiff has failed to respond to the Court's Order to Show Cause or to take any other action to prosecute his case, it is recommended that this action be dismissed without prejudice for failure to prosecute and failure to comply with the Court's orders.

This recommendation is not an order that is immediately appealable to the Ninth Circuit Court of Appeals. Any notice of appeal pursuant to Rule 4(a)(1), Federal Rules of Appellate Procedure, should not be filed until entry of the district court's judgment or appealable order.

Objections to these Findings and Recommendation, if any, are due on September 24, 2007. If objections are filed, any responses to the objections are due 14 days after the objections are filed.

Failure to timely file objections to any factual determinations of the Magistrate Judge will be considered a waiver of a party's right to de novo consideration of the factual issues and will constitute a waiver of a party's right to appellate review of the findings of fact in an order or judgment entered pursuant to the Magistrate Judge's recommendation.

DATED this 7 day of September, 2007

/s/ Mark D. Clarke
 MARK D. CLARKE
 United States Magistrate Judge